

NATIONAL COMPANY LAW TRIBUNAL
SINGLE BENCH
CHENNAI

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ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD AT 10.30 AM ON 05.07.2019

PRESENT: SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL

APPLICATION NUMBER : MA/610/2019
PETITION NUMBER : CP/345/2018
NAME OF THE PETITIONER(S) : T4 TEXULTANTS PVT LTD
(PINTER FA NI ASIA PVT LTD)
NAME OF THE RESPONDENTS :
UNDER SECTION : 12A

S.No. NAME (IN CAPITAL) DESIGNATION SIGNATURE

REPRESENTATION BY WHOM

1. G. GANESH BABU Resolution Professor
AR of Applicant h.h. R

ORDER

The Resolution Professional is present. He has also got Power of Attorney to represent the original Applicant / Operational Creditor viz., M/s. T4 Texultants Pvt. Ltd. He has filed an affidavit wherein under Para '8', it has been deposed that all dues of the Operational Creditors including that of M/s. T4 Texultants Pvt. Ltd. have been settled fully as on date i.e., 03.07.2019 and prayed to pass an order in exercise of the powers conferred under Section 12-A of the IBC, 2016.

As seen from the affidavit, the liabilities of the Creditors have been satisfied and the CoC has passed a resolution in its 1st meeting held on 25.05.2019, which reads as follows at Page No.'42':-

“Resolved that as per the Memorandum of Terms of Settlement between the CD and the Applicant (T4 Texultants Private Limited) the applicant agreed to withdraw the CP/345/2018 as per provision contain under 12 A of I&BC, 2016. Necessary Application for withdrawal of CIRP in Form FA as per Insolvency & Bankruptcy Code, 2016 has also been submitted by the Applicant. Further Resolved to authorize Shri Gopalsamy Ganesh Babu the Resolution Professional to file application before the Hon’ble NCLT bench to withdraw the CP/345/2018 as per provision contain under 12 A of I&BC, 2016 by the CoC members with 95.47% voting”

In view of the above, the CIRP initiated against the Corporate Debtor vide order dated 26.04.2019 and the moratorium declared shall ceased to have effect from the date of this order. Therefore, the order dated 26.04.2019, stands **withdrawn.**



The Company viz., M/s. Pinter Fa.Ni Asia Pvt. Ltd. is released from the purview of the IBC, 2016 which will have all the privileges to carry on its business, as usual. The requirements of 12-A have already been fulfilled, as Form 'FA' has been filed which is at Page No.41. Therefore, the original CP/345/2018 is **dismissed as withdrawn**. The RP stands **relieved**. Accordingly, the instant Application stands **disposed of**.

-SD-

(CH. MOHD SHARIEF TARIQ)
MEMBER (JUDICIAL)

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